

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:

AVEUM INVESTMENTS, LLC,  
Debtor.

CHAPTER 7

CASE NO. 19-60303-jwc

**NOTICE OF HEARING**

**NOTICE IS HEREBY GIVEN** that the following motion has been filed in the above-referenced case: *Motion to Extend Time to File Avoidance Actions* (“**Motion**”), in which the Chapter 7 Trustee (“**Trustee**”) requests that the Court approve an extension of the deadline pursuant to 11 U.S.C. § 546 for the Trustee to file avoidance actions, for cause as stated in the Motion, through and including August 2, 2021.

A copy of the Motion is available for viewing at: <https://ecf.ganb.uscourts.gov>. If you do not have ECF access, you may contact the attorney at the below phone number or email address and request a copy.

**PLEASE TAKE FURTHER NOTICE** that a hearing will be held on the Motion will be held in *Courtroom 1203, United States Courthouse, 75 Ted Turner Dr., SW, Atlanta, Georgia 30303, at 11:00 a.m. (Eastern) on July 29, 2021*. Given the current public health crisis, hearings may be telephonic only. Please check the "Court Operations During COVID-19 Outbreak" tab at the top of the GANB Website (<http://www.ganb.uscourts.gov/news/public-notice-regarding-court-operations-during-covid-19-outbreak>) prior to the hearing for instructions on whether to appear in person or by phone.

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written objection, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, U. S. Bankruptcy Court, Suite 1340,

75 Ted Turner Drive, SW, Atlanta, GA 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: June 30, 2021.

By: /s/ Anna M. Humnicky

Anna M. Humnicky

Georgia Bar No. 377850

Small Herrin, LLP  
2727 Paces Ferry Rd.  
Building Two, Suite 200  
Atlanta, GA 30339  
(770) 857-4770  
[ahumnicky@smallherrin.com](mailto:ahumnicky@smallherrin.com)

UNITED STATES BANKRUPTCY COURT  
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IN RE:

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CASE NO. 19-60303-jwc

**MOTION TO EXTEND TIME TO FILE AVOIDANCE ACTIONS**

**COMES NOW** Cathy L. Scarver, the Chapter 7 Trustee (“**Trustee**”) for the estate (“**Estate**”) of the above stated debtor (“**Debtor**”), and files this *Motion to Extend Time to File Avoidance Actions* (“**Motion**”) and states as follows:

**Jurisdiction and Venue**

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§157 and 1334 and the Standing Order of Reference of the United States Bankruptcy Court for the Northern District of Georgia. Venue is proper in this Court under 28 U.S.C. § 1408 and 1409.

**Background**

2. Debtor Aveum Investments, LLC (“**Debtor**”) filed a Petition under Chapter 11 of the U.S. Bankruptcy Code on July 1, 2019 (“**Petition Date**”).

3. After the case was converted from Chapter 11 to Chapter 7, upon motion of the United States Trustee, Trustee was appointed as Chapter 7 Trustee of the Estate on September 3, 2019, and continues in such capacity.

4. As of the Petition Date, all legal and equitable rights of Debtors are property of the Estate. After the conversion to Chapter 7, Trustee is the sole representative of the Estate.

5. Pursuant 11 U.S.C. § 546, the deadline established for filing any avoidance actions under 11 U.S.C. §§ 544, 545, 547, 548 or 553 (“Avoidance Actions”) is July 1, 2021 (“Deadline”).

6. The Trustee has investigated possible avoidance actions related to the transaction out of Debtor’s bank account which led the Court to convert the case to Chapter 7. The Trustee learned that the U.S. Secret Service (“USSS”) had become involved in investigating the transaction as part of a fraudulent scheme and that the Debtor was a possible victim. However, the Trustee understood that the chance for recovery was low. The Trustee understood that, should any assets be located by the USSS, victims would receive a packet. When the Trustee reached out to the USSS to confirm that no assets had been recovered as a result of its investigation, the Trustee learned that the agent assigned to the matter was on an extended leave, not to return until mid-July 2021.

7. This is the first request for an extension of time filed by the Trustee in Debtor’s case, and this request is not being made to unnecessarily delay the proceedings herein. Instead, this request is being made to expedite the bankruptcy proceedings and permit the Trustee to complete her investigation and, likely, to confirm the lack of assets to pursue related to the transaction.

8. A copy of the proposed Order is attached as Exhibit “A.”

**WHEREFORE**, the Trustee respectfully requests that this honorable Court enter an order granting the Trustee through and including August 2, 2021, to file any Avoidance Actions, and granting such other and further relief as is just and proper under the circumstances.

This 30<sup>th</sup> day of June 2021.

Respectfully submitted,

**SMALL HERRIN, LLP**

By: /s/ Anna M. Humnicky  
Anna M. Humnicky  
Georgia Bar No. 377850

2727 Paces Ferry Rd.  
Building Two, Suite 200  
Atlanta, GA 30339  
770-857-4770  
Email: [ahumnicky@smallherrin.com](mailto:ahumnicky@smallherrin.com)

# EXHIBIT A

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:

AVEUM INVESTMENTS, LLC,  
Debtor.

CHAPTER 7

CASE NO. 19-60303-jwc

**ORDER EXTENDING TIME TO FILE AVOIDANCE ACTIONS**

This matter came before the Court for consideration regarding the *Motion to Extend Time to File Avoidance Actions* (Doc. No. \_\_\_\_) (“**Motion**”), filed by Cathy L. Scarver, Chapter 7 Trustee for the above-captioned Debtor. Hearing on the Motion was held on July 29, 2021. Copies of the Motion and Notice of Hearing regarding the Motion were served on all creditors and parties in interest. No further notice is necessary. No objection was made in writing or at the Hearing to the Motion. For good cause shown, it is hereby **ORDERED** that

1. The Motion is **GRANTED**.

2. The deadline for Cathy L. Scarver, Chapter 7 Trustee in the above-captioned case, to file complaint(s) related to Avoidance Actions, as defined in the Motion, pursuant to 11 U.S.C. § 546 is hereby extended through and including August 2, 2021.

**END OF DOCUMENT**

**Prepared by:**  
**SMALL HERRIN, LLP**

By: /s/ Anna M. Humnicky  
Anna M. Humnicky  
Georgia Bar No. 377850

2727 Paces Ferry Rd.  
Building Two, Suite 200  
Atlanta, GA 30339  
770-857-4770  
Email: [ahumnicky@smallherrin.com](mailto:ahumnicky@smallherrin.com)

*Counsel for Cathy L. Scarver, Chapter 7 Trustee*

**DISTRIBUTION LIST**

Anna M. Humnick, Esq.  
SMALL HERRIN, LLP  
2727 Paces Ferry Rd.  
Building Two, Suite 200  
Atlanta, GA 30339

Evan M. Altman, Esq.  
Evan M. Altman, Attorney at Law  
Building 2  
8325 Dunwoody Place  
Atlanta, GA 30350-3307

Cathy L. Scarver, Chapter 7 Trustee  
P. O. Box 672587  
Marietta, GA 30006

Office of the U. S. Trustee  
362 Richard Russell Federal Bldg.  
75 Ted Turner Drive, SW  
Atlanta, GA 30303